

EXHIBIT C

**Notice of Breach and Default and of Election
to Cause Sale of Real Property under Deed of
Trust
(Recorded April 18, 2018)**

EXHIBIT C

Inst #: 20180418-0002336

Fees: \$290.00

04/18/2018 03:22:53 PM

Receipt #: 3378198

Requestor:

SERVICELINK TITLE AGENCY IN

Recorded By: CHERIE Pgs: 6

DEBBIE CONWAY

CLARK COUNTY RECORDER

Src: ERECORD

Ofc: ERECORD

APN 178-06-110-011

RECORDING REQUESTED BY:

ServiceLink

WHEN RECORDED MAIL TO:

TRUSTEE CORPS

3571 Red Rock St., Ste B

Las Vegas, NV 89103

TS No. NV08000587-13-1S

TO No. 1520343

Commonly known as: 3520 FIVE PENNIES LANE, LAS VEGAS, NV 89120

**NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO CAUSE SALE
OF REAL PROPERTY UNDER DEED OF TRUST**

NOTICE IS HEREBY GIVEN THAT: **MTC Financial Inc. dba Trustee Corps** is either the original Trustee, the duly appointed substituted Trustee, or acting as agent for the Trustee or Beneficiary under a Deed of Trust dated as of December 16, 2004, executed by TRACY R MITCHUSSON TRUSTEE OF THE TRACY R. MITCHUSSON TRUST DATED NOVEMBER 24, 1999, as Trustor, to secure obligations in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for COUNTRYWIDE HOME LOANS, INC. as original Beneficiary, recorded December 22, 2004 as Instrument No. 20041222-0003360 of official records in the Office of the County Recorder of Clark County, Nevada; and that

The Deed of Trust secures the payment of and the performance of certain obligations, including, but not limited to, the obligations set forth in that certain Promissory Note with a face amount of \$517,800.00 (together with any modifications thereto the "Note"); and that

A breach of, and default in, the obligations for which said Deed of Trust is security has occurred in that the Trustor has failed to perform obligations pursuant to or under the Note and/or Deed of Trust, specifically: Failed to pay payments which became due August 1, 2010 AND ALL SUBSEQUENT INSTALLMENTS, ALONG WITH LATE CHARGES, PLUS FORECLOSURE COSTS AND LEGAL FEES. PLUS ALL OF THE TERMS AND CONDITIONS AS PER THE DEED OF TRUST, PROMISSORY NOTE AND RELATED LOAN DOCUMENTS.

That by reason thereof the present Beneficiary under such Deed of Trust has deposited with said duly appointed Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

NOTICE

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed of Trust above described. Section NRS 107.080 permits certain defaults to be cured upon the payment of the amounts required by that statutory section without requiring payment of that portion of principal and interest which would not be due had no default occurred. Where reinstatement is possible, if the default is not cured within the statutory period set forth in Section NRS 107.080, the right of reinstatement will terminate and the property may thereafter be sold. The Trustor may have the right to bring a court action to assert the nonexistence of a default or any other defense of Trustor to acceleration and Sale.

To determine if reinstatement is possible and the amount, if any, to cure the default, contact:

The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders
CWALT, Inc. Alternative Loan Trust 2005-J1, Mortgage Pass-Through Certificates, Series 2005-J1
c/o TRUSTEE CORPS
TS No: NV08000587-13-1S
3571 Red Rock St., Ste B
Las Vegas, NV 89103
Phone No: 949-252-8300
TDD: 800-326-6868

Dated: April 17, 2018

MTC Financial Inc. dba Trustee Corps, as Duly Appointed
Successor Trustee

By: Justin T. Grim, Esq., Authorized Signatory

State of NEVADA
County of CLARK

This instrument was acknowledged before me on April 17, 2018
2018, by JUSTIN T. GRIM, ESQ..

Notary Public Signature

Printed Name



My Commission Expires: 9-3-2019

Trustee Corps may be acting as a debt collector attempting to collect a debt.
Any information obtained may be used for that purpose.

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

**AFFIDAVIT OF AUTHORITY TO EXERCISE THE
POWER OF SALE**

Property Owners:

TRACY R MITCHUSSON

Trustee Address:

17100 Gillette Ave
Irvine, CA 92614

Property Address:

3520 FIVE PENNIES LANE
LAS VEGAS, NV 89120

Deed of Trust Document:

20041222-0003360

Keli Smith

Affiant, _____, being first duly sworn upon oath, and under penalty of perjury, attests that the following information is based on the direct, personal knowledge or the personal knowledge which Affiant acquired by a review of the business records of the Beneficiary, the successor in interest of the Beneficiary or the servicer of the obligation or debt secured by the Deed of Trust, which business records must meet the standards set forth in NRS 51.135:

1) The full name and business address of the current Trustee or the current Trustee's personal representative or assignee, the current holder of the Note secured by the Deed of Trust, the current Beneficiary of record and the current servicer of the obligation or debt secured by the Deed of Trust.

Current Trustee: MTC Financial Inc. dba Trustee Corps
Address: 17100 Gillette Ave, Irvine, CA 92614

Current holder of the Note: The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders CWALT, Inc. Alternative Loan Trust 2005-J1, Mortgage Pass-Through Certificates, Series 2005-J1
Address: 4425 Ponce de Leon Blvd., Mail Stop MS5/251, Coral Gables, FL 33146

Current Beneficiary: The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders CWALT, Inc. Alternative Loan Trust 2005-J1, Mortgage Pass-Through Certificates, Series 2005-J1
Address: 4425 Ponce de Leon Blvd., Mail Stop MS5/251, Coral Gables, FL 33146

Current servicer: Bayview Loan Servicing, LLC
Address: 4425 Ponce de Leon Blvd., Mail Stop MS5/251, Coral Gables, FL 33146

2) The Beneficiary under the Deed of Trust, the successor in interest of the Beneficiary or the Trustee is in actual or constructive possession of the Note secured by the Deed of Trust or that the Beneficiary or its successor in interest or the Trustee is entitled to enforce the obligation or debt secured by the Deed of Trust.

3) The Beneficiary or its successor in interest, the servicer of the obligation or debt secured by the Deed of Trust or the Trustee, or an attorney representing any of those persons, has sent to the obligor or Borrower of the obligation or debt secured by the Deed of Trust a written statement of:

(l) The amount of payment required to make good the deficiency in performance or payment, avoid the exercise of the power of sale and reinstate the terms and conditions of the underlying obligation or debt existing before the deficiency in performance or payment, as of the

date of the statement;

(II) The amount in default;

(III) The principal amount of the obligation or debt secured by the Deed of Trust;

(IV) The amount of accrued interest and late charges;

(V) A good faith estimate of all fees imposed in connection with the exercise of the power of sale; and

(VI) Contact information for obtaining the most current amounts due and the local or toll-free telephone number described in the paragraph below.

4) A local or toll-free telephone number that the obligor or Borrower of the obligation or debt may call to receive the most current amounts due and a recitation of the information contained in the Affidavit: Bayview Loan Servicing, LLC, (866) 709-3400.

5) The date and the recordation number or other unique designation of, and the name of each assignee under, each recorded assignment of the Deed of Trust:

Deed of Trust

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for COUNTRYWIDE HOME LOANS, INC.

Recorded: December 22, 2004

Instrument: 20041222-0003360

Assignment(s)

BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP

Recorded: April 27, 2011

Instrument: 201104270004475

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT, INC. ALTERNATIVE LOAN TRUST 2005-J1, MORTGAGE PASSTHROUGH CERTIFICATES, SERIES 2005-J1

Recorded: March 31, 2014

Instrument: 20140331-0001582

I declare under penalty of perjury that the foregoing is true and correct and that this Affidavit was executed on Dec. 6, 2017.

The Bank of New York Mellon FKA The Bank of New York as
Trustee for the Certificateholders CWALT, Inc. Alternative Loan
Trust 2005-J1, Mortgage Pass-Through Certificates, Series
2005-J1
By Bayview Loan Servicing, LLC as Attorney in Fact

Signature

Name

Title

Keli Smith

Document Coordinator

State of Pennsylvania
County of Montgomery

Keli Smith, an employee of Bayview Loan Servicing, LLC,
appeared before me this 14th day of December, 2017, and after being duly
sworn, executed this Affidavit on its behalf.

Lauren Christine Lettman

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Lauren Christine Lettman, Notary Public
Montgomery, Montgomery County
My commission expires August 03, 2020

Declaration of Mortgage Servicer Pursuant to Nevada Senate Bill 321

Mortgage Servicer: Bayview Loan Servicing, LLC, a Delaware Limited Liability Company

Borrower(s): TRACY R MITCHUSSON

Property Address: 3520 FIVE PENNIES LANE LAS VEGAS, NV 89120
[REDACTED]

T.S. No.:

The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares that:

1. ☒ The mortgage servicer has contacted the borrower pursuant to Nevada Senate Bill 321 Section 11.2 to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure." Thirty (30) days, or more, have passed since the initial contact was made.
2. ☐ "The mortgage servicer has tried with due diligence to contact the borrower(s) as required by NRS 107.510(5) (a) and NRS 107.510(5) (c)-(e), but has not made contact despite such due diligence. The telephone contact requirements under NRS 107.510(5) (b) were not attempted pursuant to the borrower's previously submitted request for cease communication. The due diligence efforts were satisfied on _____, 20____."
3. ☐ Despite the exercise of due diligence pursuant to Nevada Senate Bill 321 Section 11.4, the Mortgage servicer has been unable to contact the borrower to "assess the borrower's financial situation and explore options for the borrower to avoid foreclosure." Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
4. ☐ - No contact was required by the mortgage servicer because the individual(s) did not meet the definition of "borrower" pursuant to subdivision (c) of NRS Chapter 107.
5. ☐ The requirements of Nevada Senate Bill 321 do not apply due to the qualifications set forth in NRS Chapter 107:
 - a. _____ The loan is not secured by a first mortgage deed of trust that secures a loan or that encumbers real property.
 - b. _____ The real property is not occupied by the borrower(s).
 - c. _____ The secured property is exempt from due diligence, the borrower is deceased.

The undersigned certifies that this declaration is accurate, complete and supported by competent and reliable evidence, which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

Bayview Loan Servicing, LLC, a Delaware Limited Liability Company

By: Milena Betancourt

Dated: 11/27/2017

Milena Betancourt
State Declaration Processor Loss Mitigation - QA